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PTO/SB/17 (12/97)

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FEE TRANSMITTAL

Note: Effective November 10, 1997.

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT \$710.00

METHOD OF PAYMENT (check one)

1. ☒ The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:Deposit Account
Number

05-0840

Deposit Account
Name

Eli Lilly and Company

☒ Charge Any
Additional Fee
Required Under 37
CFR 1.16 and 1.17☐ Charge the Issue Fee Set
in 37 CFR 1.18 at the
Filing of the Notice of
Allowance2. ☐ Payment Enclosed:☐ Check☐ Money
Order☐ Other

FEE CALCULATION

FILING FEE

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid
103	710	201	355	Utility filing fee	710
102	320	205	160	Design filing fee	
104	490	207	245	Plant filing fee	
105	710	208	355	Reissue filing fee	
106	150	214	75	Provisional filing fee	

SUBTOTAL (1) (\$710)

CLAIMS

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid
103	12	201	355	Utility claims in excess of 3	0
104	1	207	245	Plant claims in excess of 1	0
105	1	208	355	Reissue claims in excess of 1	0
106	1	214	75	Provisional claims in excess of 1	0

SUBTOTAL (2) (\$0)

**or number previously paid, if
greater; For Reissues, see above

Application Number

Filing Date

First Named Inventor

Hoffmann, James A

Group Art Unit

Examiner Name

Attorney Docket Number X-12383N

FEE CALCULATION (continued)

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid
105	130	205	65	Searchable-late filing fee or oath	
127	50	227	25	Searchable-late provisional filing fee or cover sheet	
139	130	139	130	Non-English specification	
147	2,520	147	2,520	For filing a request for reexamination	
112	920*	112	920*	Requesting publication of SIR prior to Examiner action	
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	
115	110	215	55	Extension for reply within first month	
116	390	216	195	Extension for reply within second month	
117	890	217	445	Extension for reply within third month	
118	1,390	218	695	Extension for reply within fourth month	
128	1,890	228	945	Extension for reply within fifth month	
119	310	219	155	Notice of Appeal	
120	310	220	155	Filing a brief in support of an appeal	
121	270	221	135	Request for oral hearing	
138	1,510	138	1,510	Petition to institute a public use proceeding	
140	110	240	55	Petition to revive-unavoidable	
141	1,240	241	620	Petition to revive- unintentional	
142	1,210	242	605	Utility issue fee (or reissue)	
143	430	243	215	Design Issue Fee	
144	580	244	290	Plant Issue Fee	
122	130	122	130	Petitions to the Commissioner	
123	50	123	50	Petitions related to provisional applications	
126	240	126	240	Submission of Information Disclosure Sheet.	
581	40	581	40	Recording each patent assignment per property (times number of properties)	
146	710	246	355	Filing a submission after final rejection (37 CFR 1.123(a))	
149	710	249	355	For each additional invention to be examined (37 CFR 1.123(b))	
179	710	279	355	Request for Continued Examination (RCE)	
169	900	169	900	Request for expedited examination of a design application	

Other fee (specify)

Other fee (specify)

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$0)

SUBMITTED BY

Typed or
Printed Name James J. KelleySignature *James J. Kelley*"Express Mail" mailing label number *Aug 10, 2001* *0564070246US*

Date of Deposit

I hereby certify that this paper or *is* is being deposited with the United States Postal Service "Express Mail Post Office to
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Complete (if applicable)

Reg. Number 41,888

Date 9 August 2001

11017 U.S. PTO
09/28/98
08/18/01

090312Z FEB 68

Applicants : James A. Hoffmann)
Jirong Lu)
For : FSH Formulation)
Docket No. : X12383N)

Assistant Commissioner for Patents
Washington, D. C. 20231
Sir:

I hereby affirm that the content of the paper and computer readable copies of the Sequence Listing, submitted in accordance with 37 C.F.R. 1.821(c) and (e), respectively, are the same.

Respectfully submitted,

James J. Kelley
James J. Kelley
Attorney/Agent for Applicants
Registration No. 41,888
Phone: 317-277-8110

Eli Lilly and Company
Patent Division/JJK
Lilly Corporate Center
Indianapolis, Indiana 46285

9 August 2001

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QUEEN THOMAS Queen Thomas
Printed Name Signature

PATENT APPLICATION IN THE
UNITED STATES PATENT AND TRADEMARK OFFICE

The Accompanying Application

Applicants : Hoffmann, James A. and Lu, Jirong

For : FSH FORMULATION

Docket No. : X-12383N

SUBMISSION OF DOCUMENTS CLARIFYING CLAIMS 62-91 IN
INTERNATIONAL APPLICATION NO. PCT/US99/16031

Assistant Commissioner for Patents
Washington, D. C. 20231
Sir:

The accompanying application is a divisional application of U.S. Serial No. 09/744,431, which itself is the national stage application of International Application No. PCT/US99/16031. Attached are three documents that Applicants submit to clarify claim numbering, and thereby hopefully to avoid delay in prosecuting the present divisional application.

Claims 1-61 were filed originally in the International Application. Claims 62-91 were added by Amendment under Article 34(2)(b) in the International Application. In response to the Written Opinion, Applicants canceled Claims 6, 25, 40-44, 60, 68, 69, 89, and 90, leaving Claims 1-5, 7-24, 26-39, 45-59, 61-67, 70-88 and 91 remaining in the application. Applicants canceled all claims remaining in the International Application, and requested entry of new

09/25/01 08:03:00

Claims 92-140 by Preliminary Amendment in the parent application (U.S. Serial No. 09/744,431).

In the accompanying divisional application, Applicants cancel Claims 92-140 and add Claims 141-152 by Preliminary Amendment.

The Office recently questioned whether Claims 62-91 were ever in the parent application or International Application. To demonstrate that Claims 62-91 were indeed in the parent application and International Application, Applicants submit the following three attached documents, which are part of the record for the International Application:

1. AMENDMENT UNDER ARTICLE 34(2)(b), which shows the submission of Claims 62-91;
2. PCT WRITTEN OPINION covering Claims 1-91;
3. INTERNATIONAL PRELIMINARY EXAMINATION REPORT (IPER), which is written for Claims 1-91 and which has a complete set of Claims 1-91.

Applicants respectfully assert that the three documents clearly show that Claims 62-91 came into the International Application with Amendment under Article 34(2)(b) and were treated by the Examiner as having been accepted into the application.

In conclusion, Applicants submit three documents to show how Claims 62-91 were introduced into the International Application and parent application from which this application is being filed as a divisional case. This will hopefully avoid delay in determining whether the claim numbering in this application is appropriate.

No response to this submission is needed.

0922018.031001

Hoffmann, James A. and Lu, Jirong
FSH FORMULATION
Docket X-12383N

Respectfully submitted,

James J. Kelley

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9 August 2001

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